

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICKY MAYON,	)	Civil Action No. 2: 14-cv-1203
	)	
Plaintiff,	)	
	)	
v.	)	United States Magistrate Judge
	)	Cynthia Reed Eddy
	)	
MARK CAPOZZA, ROCHELLE KING,	)	
COLIN FISCHETTI, NATHAN	)	
GUSKIEWICZ, SCOTT BOMBERGER,	)	
JOSEPH SCHOTT, CAROL SCIRE,	)	
CANDICE LACKEY, DONALD	)	
BENGELE, and UNKNOWN MEMBERS	)	
OF THE PENNSYLVANIA BOARD OF	)	
PROBATION AND PAROLE,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

**AND NOW**, this 28<sup>th</sup> day of July 2016;

Plaintiff has filed a Second Motion for Sanctions, Motion to Strike (ECF No. 122). Plaintiff's motion is **DENIED**. Based upon Defendants' Response, as well as the factors articulated in Poulis v. State Farm Fire and Casualty Co., 747 F.2d 862, 868 (3d Cir. 1984), the Court finds that Defendants have provided all documents as ordered by the Court in the hearing on April 29, 2016. Further, the Court ordered Defendants to provide a copy of the "Vote Sheets" without the lower part of the sheet which contained specific names and votes by the DOC employees and officials. Defendants have done so. Therefore, Plaintiff's motion is **DENIED**.

Further, it appears that Plaintiff is now requesting different vote sheets than those discussed in the hearing. Non-medical Defendants are therefore **ORDERED** to provide Plaintiff with a redacted vote sheet for parole from "on or around 10-23-2013" and a redacted vote sheet

for Plaintiff's transfer to SCI Fayette on or before August 5, 2016 and shall file a compliance notice with the Court or an objection to this Order on that same date.

Further, Plaintiff's Responses to the pending Motions for Summary Judgment (ECF Nos. 124 and 128) remain due on or before August 15, 2016 and Defendants replies remain due on or before August 29, 2016. The Court will enter an order allowing Plaintiff to supplement his responses, if necessary, after resolution of the current discovery dispute.

**AND NOW**, this 28th day of July, 2016:

It is hereby **ORDERED**, as follows:

- (1) Plaintiff's Second Motion for Sanctions is **DENIED**;
- (2) Non-medicals Defendants shall file provide further discovery, or file an objection, as ordered above, on or before August 5, 2016.

/s Cynthia Reed Eddy  
Cynthia Reed Eddy  
United States Magistrate Judge

cc: MICKY MAYON  
JT - 8095  
SCI Fayette  
P.O. Box 9999  
LaBelle, PA 15450-0999

Sandra A. Kozlowski  
Pennsylvania Office of Attorney General  
(via ECF electronic notification)

Jeffrey M. Paladina  
Pennsylvania Department of Corrections, Office of Chief Counsel  
(via ECF electronic notification)

Dennis St. J. Mulvihill  
Robb Leonard Mulvihill LLP  
(via ECF electronic notification)

Erin J. Dolfi  
Robb Leonard Mulvihill LLP  
(via ECF electronic notification)

Amy L. Vanderveen  
Robb Leonard Mulvihill LLP  
(via ECF electronic notification)